



PAVI-26,490

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gregory D. Martin et al.
Serial No.: 10/669,028
Filed: September 23, 2003
Group: To Be Assigned
Examiner: To Be Assigned
For: KILN THERMAL AND COMBUSTION CONTROL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

(Date of Deposit)

Brian D. Walker
Gregory M. Howison

(Name of Person Mailing Document)

(Signature)

(Date of Signature)

CONSENT OF ASSIGNEE

Pavilion Technologies, a Texas Corporation having its principal place of business at 11100 Metric Blvd., Suite 700, Austin, Texas 78758-4018 and the owner of the entire right, title and interest to the above-referenced patent application, as indicated at Reel 10844, Frame 0464, hereby consents to the correction of inventorship filed herewith.

PAVILION TECHNOLOGIES, INC.

Timothy E. Young, Vice President
General Counsel

6/25/04
Date

Consent of Assignee
S/N 10/669,028
Atty. Dkt. No. PAVI-26,490



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Gregory M. Howison

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(Date of Signature)

DECLARATION OF STEVEN J. MCGAREL

I am the originally co-inventor of U.S. Patent Application Serial No. 10/669,028, filed on September 23, 2003, entitled KILN THERMAL AND COMBUSTION CONTROL.

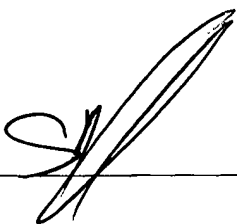
The subject patent application erroneously omitted my name as an inventor when filed. The failure to include my name as an inventor of the subject patent application occurred without any deceptive intent on my part or, to my knowledge, on the part of any other person.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further that these statements were made with

Declaration of Steven J. McGarel
S/N 10/669,028
Atty. Dkt. No. PAVI-26,490

the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

June 25, 2004
Date


Steven J. McGarel



PAVI-26,490

PATENT

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, We hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

KILN THERMAL AND COMBUSTION CONTROL

the specification of which was filed on September 23, 2003, and was assigned Serial No. 10/669,028.

We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and

We acknowledge our duty to disclose to the Patent and Trademark Office all information known to us which is material to patentability as defined in 37 C.F.R. § 1.56 (a).

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a) of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim provisional priority benefits under 35 U.S.C. § 119(e) of any provisional application(s) for patent or inventor's certificate listed below and have also identified any provisional application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C § 112, I acknowledge the duty to disclose material information as defined 37 C.F.R. § 156 (a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

This Application is Continuation Application of issued U. S. Patent No. 6,625,501, issued on September 23, 2003, (Att. Dkt. No. PAVI-26,163), entitled KILN THERMAL AND COMBUSTION CONTROL, which is a Continuation-in-Part of U.S. Patent No. 6,493,596, issued on December 2, 2002, (Att. Dkt. No. PAVI-24,956) entitled "METHOD AND APPARATUS FOR CONTROLLING A NON-LINEAR MILL," which is a Continuation-in-Part of pending U.S. Patent No. 6,487,459, issued on November 26, 2002, (Att. Dkt. No. PAVI-23,969) entitled "METHOD AND APPARATUS FOR MODELING DYNAMIC AND STEADY STATE PROCESSES FOR PREDICTION, CONTROL AND OPTIMIZATION," which is a continuation of issued U.S. Patent No. 5,933,345, issued August 3, 1999, entitled "METHOD AND APPARATUS FOR DYNAMIC AND STEADY STATE MODELING OVER A DESIRED PATH BETWEEN TWO END POINTS."

We hereby appoint:

Gregory M. Howison	Reg. No. 30,646
John J. Arnott	Reg. No. 39,095
Arthur J. Brady	Reg. No. 42,356
David C. Cain	Reg. No. 45,337
Brian D. Walker	Reg. No. 37,751

of the firm HOWISON & ARNOTT, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications based thereon in any foreign country or before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:

HOWISON & ARNOTT, L.L.P.

P.O. Box 741715
Dallas, Texas 75374-1715

Direct Telephone Calls To:

Gregory M. Howison
at (972) 479-0462
Atty. Docket No. PAVI-26,490

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of the First Joint Inventor: **Gregory D. Martin**

Inventor's Signature: Gregory D. Martin

Date: 5/11/04

Residence (City, State): **Georgetown, Texas**

Citizenship: **U.S.A.**

Post Office Address: **29022 Meadow Greens Drive, Georgetown, Texas 78628**

Full name of the Second Joint Inventor: **Eugene Boe**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Austin, Texas**

Citizenship: **U.S.A.**

Post Office Address: **13428 Equestrian Cove, Austin, Texas 78727**

Full name of the Third Joint Inventor: **Stephen Piche**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Austin, Texas**

Citizenship: **U.S.A.**

Post Office Address: **4002 Avenue C, Austin, Texas 78751**

Declaration and POA
PAVI-26,490

Full name of the First Joint Inventor: **Gregory D. Martin**

Inventor's Signature: _____

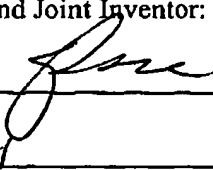
Date: _____

Residence (City, State): **Georgetown, Texas**

Citizenship: **U.S.A.**

Post Office Address: **29022 Meadow Greens Drive, Georgetown, Texas 78628**

Full name of the Second Joint Inventor: **Eugene Boe**

Inventor's Signature:  _____

Date:  _____

Residence (City, State): **Austin, Texas**

Citizenship: **U.S.A.**

Post Office Address: **13428 Equestrian Cove, Austin, Texas 78727**

Full name of the Third Joint Inventor: **Stephen Piche**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Austin, Texas**

Citizenship: **U.S.A.**

Post Office Address: **4002 Avenue C, Austin, Texas 78751**

Full name of the First Joint Inventor: **Gregory D. Martin**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Georgetown, Texas**

Citizenship: **U.S.A.**

Post Office Address: **29022 Meadow Greens Drive, Georgetown, Texas 78628**

Full name of the Second Joint Inventor: **Eugene Boe**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Austin, Texas**

Citizenship: **U.S.A.**

Post Office Address: **13428 Equestrian Cove, Austin, Texas 78727**

Full name of the Third Joint Inventor: **Stephen Piche**

Inventor's Signature: Stephen Piche

Date: May 10, '04

Residence (City, State): **Austin, Texas**

Citizenship: **U.S.A.**

Post Office Address: **4002 Avenue C, Austin, Texas 78751**

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Full name of the Fourth Joint Inventor: **James David Keeler**

Inventor's Signature: _____

Date: _____

Residence (City, State): ~~South Lake Tahoe, California~~ **Austin, TX**

Citizenship: **U.S.A.**

Post Office Address: ~~780 Michael Drive, South Lake Tahoe, CA 96150~~

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Full name of the Fourth Joint Inventor: **Douglas Timmer**

Inventor's Signature: _____

Date: _____

Residence (City, State): **McAllen, Texas 78501**

Citizenship: **United States of America**

Post Office Address: **1208 Camellia Avenue, McAllen, Texas 78501**

Full name of the Fourth Joint Inventor: **Mark Gerules**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Cedar Park, Texas**

Citizenship: **United States of America**

Post Office Address: **2800 Cortez, Cedar Park, Texas 78613**

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Full name of the Fourth Joint Inventor: **James David Keeler**

Inventor's Signature: _____


Date: _____

Residence (City, State): **South Lake Tahoe, California**

Citizenship: **U.S.A.**

Post Office Address: **700 Michael Drive, South Lake Tahoe, CA 96150**

Full name of the Fourth Joint Inventor: **Douglas Timmer**

Inventor's Signature:  _____

Date: 5/27/2004

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Citizenship: **United States of America**

Post Office Address: **1208 Camellia Avenue, McAllen, Texas 78501**

Full name of the Fourth Joint Inventor: **Mark Gerules**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Cedar Park, Texas**

Citizenship: **United States of America**

Post Office Address: **2800 Cortez, Cedar Park, Texas 78613**

Full name of the Fourth Joint Inventor: **James David Keeler**

Inventor's Signature: _____

Date: _____

Residence (City, State): **South Lake Tahoe, California**

Citizenship: **U.S.A.**

Post Office Address: **700 Michael Drive, South Lake Tahoe, CA 96150**

Full name of the Fourth Joint Inventor: **Douglas Timmer**

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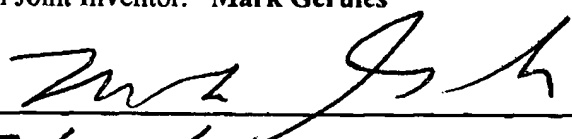
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Post Office Address: **1208 Camellia Avenue, McAllen, Texas 78501**

Full name of the Fourth Joint Inventor: **Mark Gerules**

Inventor's Signature:  _____

Date:  _____

Residence (City, State): **Cedar Park, Texas**

Citizenship: **United States of America**

Post Office Address: **2800 Cortez, Cedar Park, Texas 78613**

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Full name of the Fourth Joint Inventor: **John P. Havener**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Plano, Texas**

Citizenship: **United States of America**

Post Office Address: **2624 Regal Road, Plano, Texas 75075**

Full name of the Fourth Joint Inventor: **Steven J. McGarel**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Austin, Texas**

Citizenship: **United Kingdom**

Post Office Address: **15924 Braesgate Drive, Austin, Texas 78717**

Full name of the Fourth Joint Inventor: **John P. Havener**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Plano, Texas**

Citizenship: **United States of America**

Post Office Address: **2624 Regal Road, Plano, Texas 75075**

Full name of the Fourth Joint Inventor: **Steven J. McGarel**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Austin, Texas**

Citizenship: **United Kingdom**

Post Office Address: **15924 Braesgate Drive, Austin, Texas 78717**